

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

NOV 20 2020

Clerk, U S District Court
District Of Montana
Billings

RALPH and BARBARA COOK, *et al.*,

Plaintiffs,

vs.

EMPLOYERS MUTUAL
CASUALTY COMPANY, *et al.*,

Defendants.

CV 20-55-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Amended Findings and Recommendations on November 5, 2020. (Doc. 17). The Magistrate recommended that Plaintiffs' Motion to Remand be granted and the matter be remanded to the Montana Thirteenth Judicial District Court. (Doc. 17 at 9).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 17) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that the Plaintiffs' Motion to Remand (Doc. 9) is GRANTED and that the matter is REMANDED to the Montana Thirteenth Judicial District Court.

DATED this 20th day of November, 2020.



SUSAN P. WATTERS
United States District Judge